

UNITED STATES DISTRICT COURT
 for the
 District of New Mexico

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 2511 Frances St. NE
 Albuquerque, New Mexico 87112

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Case No. **23 MR 155**

FILED
 United States District Court
 Albuquerque, New Mexico
 Mitchell R. Elfers
 Clerk of Court

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the _____ District of New Mexico, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1),	Felon in possession of a firearm
18 U.S.C. §924(c),	Possession of a firearm in furtherance of a drug trafficking crime,
21 U.S.C. §§ 841(a)(1) and 846	Possession with intent to distribute methamphetamine and fentanyl and conspiracy

The application is based on these facts:

See attached affidavit

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Elia Viramontes
 Applicant's signature

Elia Viramontes, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
 telephonically sworn and electronically signed _____ (specify reliable electronic means).

Date: January 20, 2023


 Karen B. Molzen
 Judge's signature

City and state: Albuquerque, NM

Karen B. Molzen, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

INTRODUCTION

1. I, Elia Viramontes, Special Agent of the Federal Bureau of Investigation (FBI), being first duly sworn, make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the premises located at **2511 Frances St. NE, Albuquerque, New Mexico 87112** (hereinafter referred to as the “Subject Premises”). A more detailed description and photographs of the Subject Premises are contained within “Attachment A,” which has been attached hereto and incorporated herein by reference.

PURPOSE OF THE AFFIDAVIT

2. This affidavit seeks a search warrant to allow the FBI Violent Gang Task Force (VGTF) enter the Subject Premises to search for evidence pertaining to violations of 18 U.S.C. §§ 922(g)(1), 924(c), and 21 U.S.C. §§ 841(a)(1) and 846, to wit: being a felon in possession of a firearm, possession of a firearm in furtherance of a drug trafficking crime, possession with intent to distribute methamphetamine and fentanyl, and conspiracy. I have probable cause to believe the Subject Premises is being utilized by JESSICA PARDUE (hereinafter PARDUE) to distribute methamphetamine and fentanyl pills.

AFFIANT’S RELEVANT TRAINING AND EXPERIENCE

3. I have been a sworn law enforcement officer for approximately eight years, serving as a police officer and FBI special agent. I have been with the FBI since 2021 and I am currently assigned to VGTF, where I primarily investigate gang crimes such as racketeering, drug trafficking, and firearms violations. Prior to my assignment to the VGTF, I was assigned to the FBI Violent Crimes Task Force (VCTF), where I primarily investigated violent repeat offenders, bank robberies, kidnappings, and FBI fugitives. I have gained experience through my training at the FBI Academy and my work with more experienced agents on the VGTF and VCTF. I have

investigated persons for drug trafficking, firearm offenses, bank robberies, fugitives, and have drafted and executed numerous search warrants and criminal complaints.

4. Over the course of my law enforcement career, I have arrested hundreds of individuals for crimes ranging from homicide, narcotics violations, robbery, assault and battery, and other violent crimes. My investigative experience includes, conducting surveillance; interviewing subjects, targets, and witnesses; writing affidavits for and executing search and arrest warrants; supervising cooperating sources; and issuing subpoenas. Through my training and experience, I am familiar with the methods and means used by individuals, drug trafficking organizations, and gang/criminal enterprises to purchase, transport, store, and distribute controlled substances. I am also familiar with how those individuals and organizations hide the profits generated from their criminal activities.

5. Based upon my training, experience, and participation in gang/criminal enterprises and drug trafficking investigations, I am aware that individuals engaged in drug distribution maintain documents, letters and records regarding to their illegal activities for long periods of time. This documentary evidence is usually secreted in their place of residence, or the residences of family members, friends or associates, in their business locations, or in stash houses. This documentary evidence includes but not limited to, telephone numbers, address books, travel receipts, records in fictitious or coded names, false identification, money order receipts, money orders, money remittance receipts, pre-paid money cards such as MoneyPak, Green dot, Wal-Mart, or others debit cards, bulk U.S. currency, money collection logs, such as "tally" sheets, drug load sheets, or shipping/mailing receipts.

6. I know that members and associates of gang/criminal enterprises and drug trafficking organizations (DTO) have access to numerous cellular phones and often utilize at the

same time in an effort to avoid law enforcement monitoring. I have observed gang members, who are involved in drug trafficking, routinely use pre-paid phones requiring no subscriber information, or fictitious subscriber names, to advance their unlawful activities. These cellular telephones often contain names and phone numbers of other co-conspirators, text messages utilized to further illicit activities, photographs and videos of gang members, controlled substances, drug proceeds, or firearms.

7. I know that firearms are tools of the trade and instrumentalities of the crime of drug trafficking, particularly in instances involving subjects who have committed prior violent crimes and/or firearms violations. It has been my experience that persons who illegally possess firearms do not regularly dispose of them.

8. I know that individuals involved in the distribution of controlled substance often conceal evidence of their drug trafficking activities in their residence and business, or their residences of friends or relatives, and in surrounding areas to which they have ready access such as garages, carports and outbuildings. They also conceal evidence in vehicles, including vehicles outside of their residence, so that they have ready access to it and so that they can hide it from law enforcement, including law enforcement officers executing search warrants at their residences or businesses.

9. Members of gang/criminal enterprises and DTOs often maintain record of their transactions in a manner similar to record keeping procedures of legitimate business. Even after the drugs are sold, documentary records often remain for long periods of time, even years, to memorialize past transactions, especially when debts remain open. I have located notes documenting the status of accounts receivable and accounts payable, and the names of phone numbers of suppliers, customers, and co-conspirators, and other associates who have assisted drug

traffickers in other ways, such as helping with the cleansing of otherwise “dirty” money (U.S. Currency derived from drug trafficking), through a variety of means, including investments into legitimate enterprises and structing deposits of large amounts of U.S. Currency into financial institutions such a way so as to avoid the detection of law enforcement, and any reporting requirements of banking institutions. These records can be maintained on cellular telephones, computers and/or on paper, in the form of business and personal ledgers and diaries, calendars, memoranda, pay-owe sheets (drug ledgers), miscellaneous notes, money orders, customer list, and phone address books.

10. It has been my experience that individuals involved in drug distribution possess items of identification, including but not limited to driver’s licenses, rent receipts, bills, and address books. These items are relevant to the identity of the defendant(s), possessor of the items seized, and occupants of the premises searched.

11. Lastly, it has been my experience that the items I’ve described herein are often stored by members of DTOs in their business, residences, vehicles, and surrounding garages, outbuildings, and yards, on their persons, and in the residence of friends or relatives.

FACTS AND CIRCUMSTANCE ESTABLISHING PROBABLE CAUSE

12. During this investigation, agents utilized a Confidential Human Source (CHS) to collect information on PARDUE. By way of background, the CHS is an experienced drug dealer and is intimately familiar with the drug trade in Albuquerque. The CHS is motivated to assist the FBI because a person with whom the CHS maintains a close personal relationship is facing federal charges. The CHS would like to help that person receive a reduced sentence under §5K1.1 of the United States Sentencing Guidelines. The CHS is also motivated to assist the FBI in reducing violent crime in Albuquerque. The CHS is not currently facing criminal charges and has two prior

felony convictions for trafficking of control substance and one felony conviction for possession of control substance. The CHS has not received any financial assistance from the FBI. Information provided by the CHS has proven to be reliable in the past and I have not been given reason to doubt the integrity of the information provided by the CHS.

13. The CHS provided VGTF agents with the following information about PARDUE and her drug business. The CHS said PARDUE lives at the Subject Premises and sells drugs from the Subject Premises. The CHS has been to the Subject Premises on numerous occasions within the past year and has purchased distribution quantities of drugs from PARDUE on dozens of occasions. The CHS previously worked with PARDUE to distribute methamphetamine, fentanyl, and other drugs to street-level dealers in Albuquerque. The CHS knows PARDUE to keep a firearm near her person when selling drugs. PARDUE told the CHS she maintains a firearm during drug deals for protection. The CHS knows PARDUE to supply drugs to different street gang members in Albuquerque and identified PARDUE's drug supplier, a known gang member who is currently wanted by the FBI for drug trafficking. The CHS also identified some of PARDUE's top drug clients, many of whom are known or suspected gang members.

14. The CHS described PARDUE as being a careful drug dealer who does not like meeting new clients and will only let trusted, longtime, clients come to her home. The CHS said PARDUE has several children and lives with her husband Christopher LOPEZ, who is affiliated with a local motorcycle gang. The CHS said PARDUE's husband is aware of the fact that PARDUE sells drugs and utilizes the proceeds of her drug trafficking but does not himself sell drugs.

15. Within the past five days, the CHS was present at the Subject Premises when PARDUE provided a distribution amount of methamphetamine to a client. The CHS observed

PARDUE to have a digital scale, pistol, bulk U.S. currency, and an extra supply of methamphetamine in the Subject Premises.

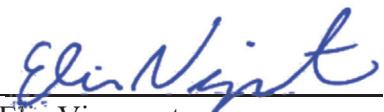
16. Based on my investigation of PARDUE, I believe she lives at the Subject Premises, sells methamphetamine and fentanyl from the Subject Premises, and keeps firearms in the Subject Premises. During the last ten days agents have conducted spot checks at the Subject Premises. On multiple occasions a black Infinity SUV with New Mexico license plate number BKXZ50 was observed parked in front of the Subject Premises or on the driveway, such vehicle is registered to PARDUE. I have reviewed PARDUE's criminal history and am aware that she has multiple arrest for possession of controlled substance and has felony convictions for trafficking a controlled substance and conspiracy to traffic a controlled substance, Bernalillo County Case No. D-202-CR-2007-3022.

17. The Subject Premises is located at 2511 Frances Street NE, Albuquerque, New Mexico 87112, and may be described as a brown stucco single-story house with a white trim around the windows. The number 2511 are posted on the mailbox next to the front door of the Subject Premises. The front door is covered with a white metal security screen door. Color photographs of the location have been included in Attachment A. The search of the Subject Premises shall include the entire residence and all outbuildings, trash cans, storage containers, and vehicles parked at, or in front of, the Subject Premises.

CONCLUSION

18. Based on the aforementioned information and investigation, I submit that probable cause exists to search the Subject Premises, described in Attachment A, for the items described in Attachment B, which are evidence or property used in committing the aforementioned crimes. This affidavit was reviewed by Assistant U.S. Attorney Paul Mysliwiec.

Respectfully Submitted,



Elia Viramontes
FBI Special Agent

Electronically submitted and telephonically sworn to before me on January ~~10~~ 2023. ~~XXXXX~~ 20, 2023. *KBM*



The Honorable Karen B. Molzen

Attachment A
PREMISES TO BE SEARCHED

The Subject Premises is located at **2511 Frances Street NE, Albuquerque, New Mexico 87112** and may be described as a brown stucco single-story house with a white trim around the windows. The numbers 2511 are posted on the mailbox next to the front door of the Subject Premises. The front door is covered with a white metal security screen door. The search is to include all rooms, attachments, storage containers, out buildings, trash cans, and vehicles at the Subject Premises.



JKBM

Attachment B
ITEMS TO BE SEIZED

Items to be Seized: All evidence, fruits, and instrumentalities of violations of: 21 U.S.C. § 841(a) possession with intent to distribute controlled substance; 21 U.S.C. § 846 conspiracy to distribute controlled substances; 18 U.S.C. § 922(g) being a prohibited person in possession of a firearm or ammunition; and 18 U.S.C. 924(c), possession of a firearm in furtherance of a drug trafficking crime, to include the following items:

1. Controlled substance, drug packaging material, paraphernalia, and scales;
2. Firearms, magazines, and ammunition;
3. United states currency;
4. Documentary evidence of drug trafficking, to include records, receipts, notes, ledgers, money orders, money order receipts, pre-paid money cards or other debit cards, and any documents relating to transporting, ordering, purchasing, transporting, or distributing drugs;
5. Cellular telephones;
6. Articles of property tending to establish the identity of persons in control of premises, vehicles, storage areas, and containers being searched, including utility company receipts, rent receipts, addressed envelopes, and keys;
7. Safes, combinations or key-lock strong boxes or other secure storage containers, and type of locked or containers, and hidden compartments that may contain any of the foregoing.

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